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Report of the Working Group on the Universal Periodic Review*

Tunisia

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-seventh session from 1 to 12 May 2017. The review of Tunisia was held at the 3rd meeting on 2 May 2017. The delegation of Tunisia was headed by the Minister for Relations with Constitutional Bodies, Civil Society and Human Rights, Mehdi Ben Gharbia. At its 10th meeting, held on 5 May 2017, the Working Group adopted the report on Tunisia.

2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Tunisia: Netherlands, Qatar and Rwanda.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Tunisia:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/27/TUN/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/27/TUN/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/27/TUN/3).

4. A list of questions prepared in advance by Belgium, Czechia, Germany, Mexico, the Netherlands, Norway, Slovenia, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland was transmitted to Tunisia through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation of Tunisia stated that the Government was determined to make profound changes to the human rights situation in the country through reforms and new laws. A new Constitution had been adopted in 2014 that enshrined fundamental freedoms and other essential economic, social and cultural rights. There were significant efforts under way to revise Tunisian legislation in order to bring it in line with the Constitution and the State's international obligations, and several mechanisms had been created to promote good governance and to fight corruption and trafficking in persons. The State's cooperation with the OHCHR was positive and 15 special procedure mandate holders had visited Tunisia since 2011. Civil society was an important partner for the Government in all human rights activities. Although Tunisia was not safe from terrorism, human rights were always respected; the security and armed forces systematically received human rights training and impunity was continually monitored and addressed.

B. Interactive dialogue and responses by the State under review

6. During the interactive dialogue, 98 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

7. The Sudan noted efforts to face the challenges of the transition to democracy and to combat terrorism, reform the judiciary and promote social dialogue.

8. Sweden noted that, despite marked strides in the field of gender equality, reports of sexual harassment and sexual violence persisted.

9. Switzerland welcomed the prohibition of torture contained in the new Constitution but remained concerned about ongoing reports of torture and ill-treatment.

10. The Syrian Arab Republic welcomed the progress made in integrating human rights into the State institutions and the role of the national media in achieving that goal.

11. Togo praised the adoption of the 2012-2016 strategic plan, which included measures to strengthen the independence of the judiciary.

12. Turkey inquired about measures to increase the number of vocational training centres and whether the Government envisaged a partnership with the private sector.

13. Uganda praised the establishment of several independent Constitutional bodies and referred to the situation of vulnerable migrants.

14. Ukraine encouraged the State to harmonize the legislative framework, improve living conditions for persons with disabilities and reform the social security system.

15. The United Arab Emirates commended the establishment of a national authority to combat trafficking in persons and efforts to punish and prosecute perpetrators.

16. The United Kingdom of Great Britain and Northern Ireland encouraged the State to make the Constitutional Court operational without delay.

17. The United States of America was concerned by the lack of transparency in the investigation of recent reports of abuses by the security forces.

18. Uruguay raised concerns relating to the situation of women and gender equality.

19. Argentina raised the issue of discrimination against lesbian, gay, bisexual, transgender and intersex persons and mentioned the creation of the Truth and Dignity Commission.

20. Yemen commended efforts to establish a national preventive mechanism on torture and the adoption of a plan to reform the judiciary.

21. Zambia noted the lack of steps taken to address domestic violence, violence against women, marital rape and discrimination against women.

22. Zimbabwe praised the State's national and midterm reports, as well as the open invitation extended to special procedure mandate holders.

23. Algeria welcomed the 2014 Constitution and the establishment of new human rights institutions and strategies.

24. Angola praised the ratification of most of the human rights instruments and the withdrawal of the State's reservations to the International Covenant on Economic, Social and Cultural Rights.

25. The Bolivarian Republic of Venezuela welcomed the creation of the observatory on equal opportunities.

26. Australia referred to the new Constitution as a milestone. It welcomed the creation of the high authority for the prevention of torture.

27. Austria noted with appreciation that the Tunisian Human Rights League had been part of the quartet that had won the 2015 Nobel Prize.

28. Azerbaijan enquired about the connection between the State and the independent constitutional bodies.

29. Bahrain commended the positive cooperation with the Council mechanisms, as indicated by the State's acceptance of most of the recommendations made in the context of the review cycle.

30. Bangladesh lauded the establishment of a national commission, attached to the Prime Minister's Office, for follow-up of human rights recommendations.

31. Belgium praised the State's cooperation and engagement with international human rights mechanisms, including the special procedures.

32. Botswana highlighted the importance of the independence of the judiciary in protecting democracy and good governance.

33. Brazil commended the country's openness to dialogue with civil society and the democratic elections held in 2014.

34. Burkina Faso praised the progress achieved during the transition to democracy as exemplary cooperation with human rights mechanisms.

35. Burundi congratulated Tunisia for the establishment of a National Commission for the Coordination, Preparation and Submission of Reports and Follow-up to Recommendations on Human Rights.

36. Canada welcomed the democratic progress achieved, including the incorporation of human rights guarantees and protections into the 2014 Constitution.

37. In response to questions from Sweden and other countries regarding the alignment of the Constitution with its international obligations, Tunisia stated that it planned to establish a steering committee to make sure that all national laws were in line with international conventions and to guarantee the sustainability of those efforts. Most ministries were effectively engaged in those tasks. Multidisciplinary committees of judges, academics, lawyers and civil servants had been established to put forward proposals on the revision of laws, in order to align them with the Constitution. The revision of the Code of Criminal Procedure, aligning it with the Constitution, included amendments to criminal legislation on pretrial detention and the rights of detainees before trial, the provision of rehabilitation services and the revision of the Code of Civil and Commercial Procedures. Amendments to the Code of the Rights of the Child, in order to align it with article 47 of the Constitution, included the introduction of provisions on the right of children to be treated without any discrimination, child-friendly treatment during judicial procedures and rehabilitation and integration services for child victims of crime, the treatment of children in detention and the administration of places of detention.

38. The law on military courts had been revised before the adoption of Decree-law No. 69 of 2011 on the organization of military courts. A committee had been established under the auspices of the Ministry of National Defence with the task of aligning national laws on the organization of the military courts and the statute of military judges with the new Constitution.

39. The Ministry of the Interior had prepared a bill to promote human rights within the security services. Steps had been taken to revise the basic law on the national security forces in order to regulate their work, ensure respect for the rule of law and give supremacy to human rights. The project involved a comprehensive revision of the law, designed to achieve the highest democratic standards, including the creation of a commission to supervise places of detention and national security agencies. Moreover, after the revolution, the Government had wished to ensure the swift revision of Act No. 4 of 1969, which regulated demonstrations and public assemblies, because some of its provisions did not comply with international norms. The revision process was ongoing, under the supervision of the relevant government authority.

40. Article 26 of the 2014 Constitution guaranteed the right to political asylum within the purview of the law. Tunisia had ratified the Convention relating to the Status of Refugees of 1951 and the Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa. A bill on asylum had been drafted that provided for the establishment of a body to monitor the living conditions of refugees. In the meantime, the Office of the United Nations High Commissioner for Refugees was working on the issue of how refugee status was defined and granted in Tunisia.

41. In response to a question from Norway on asylum and migration, Tunisia stated that a national strategy on migration had been prepared with the participation of civil society. The strategy was based on five points: strengthening governance in migration management; guaranteeing the rights and interests of Tunisian migrants and strengthening the links between them and the motherland; strengthening the contribution of migration to socioeconomic development at the local, regional and national levels; promoting the regular migration of Tunisians and preventing irregular migration; and protecting the rights of foreign migrants and asylum seekers.

42. A national council of Tunisians abroad had been established under Act No. 68 of 2016 with the task of protecting the rights and interests of Tunisians abroad and encouraging them to invest in Tunisia. A national migration observatory had also been established to monitor migration flows and carry out research in that field. Regarding the rights of migrants, a project on rationalizing labour migration governance and protecting the rights of workers was being implemented with the support of the Government of Switzerland. Consultations were also being held on the potential ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

43. Regarding the right to freedom of assembly, the Government had prioritized the preparation of a law on the organization of associations in a manner compatible with international norms and standards. That approach would increase transparency with regard to the financing of civil society organizations.

44. The Government had drafted a text on its accession to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and on the accession to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Following the revolution, the Government had withdrawn the declaration and reservations that Tunisia had submitted on its accession to the Convention on the Elimination of All Forms of Discrimination against Women in 1985

45. With regard to violence against women, article 46 of the Constitution stipulated that the State must take all measures necessary to combat violence against women. In order to implement those provisions, the Government had presented a bill to the Assembly of the People's Representatives on that subject in July 2016. This bill adopted a comprehensive approach towards addressing the issue of violence against women from a human rights-based perspective that guaranteed the right to dignity and the inviolability of a woman's body. It was also comprehensive in its approach to the elimination of gender-based violence through prevention, protection, commitment and coordination. The initiative had been examined by the committee on rights and fundamental freedoms of the Assembly of People's Representatives. In anticipation of that measure and the implementation of the national strategy to eliminate violence against women, which had been relaunched in 2012, five protocols had been signed in December 2016 to protect women victims of violence. Since 2015, shelters had been available to women going through a divorce and those in violent situations. Tunisia also planned to open a direct hotline to inform women about access to assistance.

46. Chad welcomed numerous legislative and institutional measures to promote and protect human rights and the participatory approach adopted by the National Commission for the Coordination, Preparation and Submission of Reports and Follow-up to Recommendations on Human Rights.

47. Chile welcomed reforms to promote gender equality and expressed concern about the levels of discrimination and violence against women and about reports of torture in detention.

48. China commended the State's efforts to develop the country's least developed regions, improve living standards and reduce the gap between the rural and the urban population.

49. The Congo encouraged Tunisia to redouble its efforts to harmonize its legislation and regulations with the new Constitution and international legal instruments.

50. Costa Rica welcomed measures against torture and expressed concern about the fact that the Government had not amended the Constitution to exclude the death penalty and that same-sex sexual relations were criminalized.

51. Côte d'Ivoire welcomed the national mechanism to follow-up to recommendations made by United Nations bodies and encouraged the Government to strengthen provisions to fight the exploitation of vulnerable people and migrants.

52. Cuba highlighted legislative measures relating to the penitentiary system, the creation of a national body to prevent torture and measures to fight racial discrimination.

53. Czechia welcomed the adoption of the 2014 Constitution, which provided a robust human rights protection framework.

54. Denmark noted with concern discrimination and violence against lesbian, gay, bisexual, transgender and intersex people, highlighting that article 230 of the Criminal Code was a key obstacle to equal treatment.

55. Djibouti praised the adoption of the law against trafficking in persons, which was also aimed at combating all forms of exploitation of women and children.

56. Egypt highlighted the 2014 Constitution and the legislative and institutional measures adopted, as well as the implementation of a national strategy on the judiciary.

57. Ethiopia commended the reform of the judicial system and the law on human trafficking and encouraged Tunisia to further strengthen its efforts to combat terrorism.

58. Finland welcomed the improvements relating to the transition to democracy and highlighted the importance of allocating the necessary resources to its national human rights institution.

59. France encouraged Tunisia to take all appropriate measures to implement the new Constitution, to align its laws and judicial system and to effectively implement constitutional justice.

60. Gabon welcomed measures to implement a legislative and institutional framework that fostered human rights.

61. Georgia highlighted the adoption of the Constitution and encouraged the Government to further mainstream human rights issues at all levels.

62. Germany expressed concerns about the implementation of constitutional safeguards for all.

63. Ghana commended the open invitation to special procedure mandate holders issued by Tunisia.

64. Greece encouraged Tunisia to continue its measures to ensure access to the labour market, reduce unemployment, eliminate social disparities and improve the living conditions of Tunisians.

65. Guatemala noted the need to harmonize the domestic legislative framework with the Constitution and international norms and to provide sufficient resources to the Constitutional Court.

66. Honduras highlighted the establishment of the Ministry of Human Rights and Transitional Justice and the national mechanism to prevent torture.

67. Iceland noted with regret that anal examinations were used as the main source of evidence to convict men for homosexuality and asked Tunisia how such a practice could be deemed to be compatible with international human rights standards.

68. Indonesia welcomed the establishment of the national counter-terrorism commission and the national financial analysis commission.

69. Iraq commended the Constitution, the open invitation to special procedure mandate holders and the ratification of international human rights instruments.

70. Spain commended Tunisia for the progress made with regard to the protection of human rights as a result of the adoption of the 2014 Constitution.

71. Italy welcomed the efforts made since the previous universal periodic review cycle. It noted the adoption of the new Constitution and the law on human trafficking, among others.

72. Japan noted the current state of emergency and the strengthened counter-terrorism measures. It was concerned that the legal framework contained some measures that were prejudicial to women.

73. Jordan appreciated the State's willingness to develop a national strategy to combat violence against women and to promote the rights of persons with disabilities and the steps taken to combat trafficking in persons.

74. Kenya commended Tunisia for its efforts to implement previous review recommendations.

75. Kuwait commended Tunisia for its efforts to promote political and democratic freedom. Kuwait appealed to the international community to assist Tunisia with its economic and social challenges in order to ensure the continued success of the transition to democracy.

76. Kyrgyzstan was pleased to note that the 2014 Constitution contained human rights norms. Kyrgyzstan welcomed the strengthening of the legislative and institutional framework.

77. Lebanon welcomed the adoption of the new Constitution, which establishe.: a democratic system. It applauded the pioneering role of women.

78. Libya noted progress in the implementation of recommendations from the previous review cycle and the adoption of the new Constitution, which enshrined the State's attachment to human rights, dignity and constitutional justice.

79. Tunisia stated that it had signed the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, that it had established a mechanism for the prevention of torture and was investigating gross human rights violations. There had been a fall in the number of complaints. In 2013, around 492 cases had been reported, while by 2016, the number of complaints had fallen to 200. Approximately 53 of those 200 complaints had been referred to the courts.

80. As part of the process of implementing the recommendations from the previous universal periodic review cycle, the Ministry of Human Rights had organized a national meeting on the repeal of the death penalty, which led to the adoption of article 22 of the Constitution. The number of cases in which the death sentence had been handed down currently stood at 26, with 35 cases still pending appeal. However, Tunisia had not enforced the death penalty since 1991 and, in 2012, had supported General Assembly resolution 67/176 calling for a moratorium on the use of the death penalty.

81. Article 23 of the Constitution stipulated that the State protected human life and condemned physical and psychological torture. That same article stipulated that it was not possible to arrest a person and hold them in custody for an act that did not fall under the provisions of a law or legal code. The Constitution also enshrined a statute of limitations for crimes related to torture. At the end of 2014, in order to ensure the implementation of those provisions, the Minister of Justice had issued guidelines on combating torture, with the cooperation of a Danish anti-torture centre. The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was also used for human rights training in prisons. Civil society actors, with the authorization of the Ministry of Justice, could visit prisons and prisoners; in July 2015, the Government had signed a memorandum of understanding in that regard with the Tunisian Human Rights League. An agreement had also been signed allowing the Ministry of Women, Family Affairs and Childhood to visit convicted minors and the Government was also reviewing the Criminal Code to bring it in line with international standards, particularly with regard to establishing a definition of torture and further strengthening guarantees during the period of custody and arrest.

82. The Ministry of the Interior had passed a law abolishing its central unit for detention, in order to put an end to all secret detentions and all types of torture and mistreatment. The regional Red Cross committee in Tunisia, the Office of the United Nations High Commissioner for Human Rights and the committee on fundamental freedoms, whenever they were notified and without prior authorization, could visit detention centres and meet detainees. They benefited in that regard from the legal regulations governing detention. Between 2011 and 2017, over 70 such visits had been registered.

83. The Minister of the Interior was implementing a project on improving the treatment of prisoners in detention, in cooperation with the International Committee of the Red Cross in Tunisia. There were 16 principles that were being followed to train the relevant authorities in the proper treatment of prisoners and to improve the infrastructure of detention centres. Guidelines had also been prepared on the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

84. Regarding overcrowding in prisons, 21,666 prisoners were serving sentences in 28 adult prisons and 5 prisons for juvenile delinquents. The space available to each prisoner had increased from 1.22 m² to 1.86 m², as at December 2016. The infrastructure had been developed by modernizing and renovating several prisons. Alternative punishments, such as electronic bracelets, would become available. The penal system was being reformed to reduce the number of crimes that carried prison sentences, including drug abuse offences. To date, 14,323 prisoners had benefited from rehabilitation services.

85. A law on combating terrorism and money laundering had been adopted in 2015, a national committee on combating terrorism and a national committee on combating money laundering had been established and specialized courts had been set up to handle terrorism cases. In 2016, a national strategy on combating terrorism and violent extremism had been adopted by the President. New judges had been appointed to the specialized terrorism courts and given training in the field of human rights and in respecting human rights while combating terrorism.

86. All units investigating crimes of terrorism fell under the general oversight of the judiciary and other bodies. The Minister of the Interior had adopted several measures to dissuade young people from volunteering to fight in conflicts abroad and there were efforts to raise awareness among young people of any activities that could be linked to terrorism. While the law on combating terrorism did not cover the national armed forces, they were involved in combating terrorism and crime in the military context. Policies on combating terrorism were based on international law and on defence needs, taking into consideration all the guarantees provided by international conventions and human rights law.

87. Liechtenstein welcomed steps to ensure accountability for past human rights violations and efforts to combat violence against women. Liechtenstein was concerned by attacks on human rights defenders and the harassment of journalists and artists.

88. Luxembourg congratulated Tunisia for its follow-up of recommendations from the previous review cycle and for the human rights guarantees contained in the 2014 Constitution. It welcomed the creation of an institutional framework for the protection of human rights.

89. Madagascar welcomed the establishment of the Ministry of Human Rights and Transitional Justice and a national human rights body.

90. The Maldives commended the State's commitment to improving its judicial system and its efforts to combat torture, terrorism and human trafficking.

91. Mauritania highlighted the encouraging progress made with regard to standard-setting and the institutional framework, including the adoption of legislative and institutional measures since the previous review cycle.

92. Mauritius commended Tunisia for enshrining in its Constitution civil, political, economic, social and cultural rights and the rights of women, children and persons with disabilities.

93. Mexico praised the State's efforts to maintain respect for institutions and its efforts to consolidate democracy in the country.

94. Montenegro welcomed the ratification of the Optional Protocol to the Convention against Torture and the establishment of the national preventive mechanism.

95. Morocco paid tribute to the State's efforts to strengthen the national system through the adoption, since the previous review cycle, of a new Constitution and the establishment of many independent human rights bodies.

96. Mozambique commended Tunisia for having ratified 15 out of the 18 international human rights instruments and for welcoming visits from 10 special procedure mandate holders during the previous four years.

97. Namibia congratulated Tunisia for adopting a new Constitution in 2014 and for implementing various measures aimed at reforming the judicial system.

98. The Netherlands expressed concerns about the absence of a law criminalizing all forms of discrimination and incitement to hatred and violence based on sexual orientation and gender identity.

99. Niger welcomed the new Constitution, which enshrined a republican and democratic system based on the rights of the people, civil liberties and the rule of law.

100. Nigeria commended the implementation of the national integrated education strategy and welcomed the establishment of a national commission to combat racial discrimination.

101. Norway welcomed the moratorium on the death penalty and commended the new Constitution of 2014.

102. Oman welcomed the establishment of a cabinet of human rights and the consolidation of the rule of law.

103. Pakistan commended the establishment of institutions necessary for the promotion, protection and implementation of human rights.

104. Peru welcomed the achievements relating to the promotion and protection of human rights and the promulgation of the new Constitution.

105. The Philippines commended the establishment of an independent human rights commission and other bodies relating to the prevention of torture, access to information and human trafficking.

106. Poland commended efforts to promote human rights, particularly measures aiming to prevent discrimination, promote equal opportunities, combat violence against women and increase women's representation in public life.

107. Portugal was concerned about the discrimination and violence that women faced.

108. Qatar welcomed measures to promote human rights mechanisms and commended the adoption of the Constitution in 2014.

109. The Republic of Korea commended the 2014 Constitution, the steps taken to ensure an independent judiciary and the establishment of a national human rights commission.

110. Romania commended Tunisia for the broad range of measures on human rights that had been adopted since the second review cycle.

111. Rwanda commended Tunisia for the significant progress it had made in improving the social and economic status of its citizens.

112. Saudi Arabia commended the ongoing efforts made by Tunisia to implement the recommendations that it had received during the second review cycle and the human rights measures it had implemented.

113. Senegal noted with satisfaction the adoption of the 2014 Constitution and the fact that Tunisia had created the foundations for a democratic State that promoted human rights and public freedoms.

114. Sierra Leone urged Tunisia to expedite the establishment of the Constitutional Court to safeguard the rights enshrined in the new Constitution of 2014.

115. Slovenia encouraged Tunisia to keep the de facto moratorium on the death penalty in place and to continue its efforts to completely abolish capital punishment.

116. South Africa welcomed the fact that the Constitution of 2014 included a specific chapter on independent constitutional bodies seeking to support democracy.

117. South Sudan noted with appreciation the adoption of the Constitution of 2014 and the steps taken by the Government to strengthen its institutional framework.

118. Ireland was still concerned that the death penalty remained lawful and urged the State to withdraw its declaration on the Convention on the Elimination of All Forms of Discrimination against Women.

119. Sri Lanka commended the State's remarkable efforts to implement legislative and institutional change, including the adoption of a new Constitution in 2014.

120. The State of Palestine noted the State's efforts to further women's rights through programmes and legislation and commended its efforts to provide health services.

121. The Central African Republic encouraged Tunisia to continue its cooperation with international human rights mechanisms, as illustrated by the standing invitation it had issued to special procedure mandate holders.

122. Concerning discrimination on the grounds of sexual orientation, Tunisia stated that all forms of discrimination, hatred and incitement to hatred were anti-Constitutional. Persons of all sexual orientations enjoyed the full spectrum of rights, including access to education. All aggression against any citizen based on his or her sexual orientation was criminalized and the perpetrators prosecuted. The President had called for a new law concerning individual rights; discussions of that law would provide an opportunity to open a dialogue on article 230 of the Criminal Code. Medical examinations were contingent on the consent of the person concerned and must be conducted in the presence of a medical expert.

123. In response to the comments made by Switzerland on the measures taken by Tunisia to prevent irregularities in migration, an agreement had been signed with the International Organization for Migration regarding migrants who wished to return voluntarily to their country of origin. Under the terms of that agreement, the International Organization for Migration sent to the Tunisian authorities a list of migrants wishing to return voluntarily to their countries of origin and, in turn, the Tunisian authorities granted those migrants exemption from the payment of penalties so that they could return to their country. Furthermore, Tunisia was developing a national strategy on migration through an open and consultative process, which would subsequently be extended to bilateral and multilateral partners.

124. The 2014 Constitution stated that all people were equal before the law and enshrined rights and fundamental freedoms, in line with the State's obligations and international human rights standards. Some of the articles of the Constitution, drafted by the former regime, were being updated in order to bring them into line with international obligations and standards and the recommendations of the special procedure mandate holders. Tunisia was also trying to foster the independence of the judiciary and to enable the Constitutional Court to repeal or amend certain articles that were contrary to international standards. However, those efforts could not succeed without a dialogue with all stakeholders. Tunisia thanked all the delegations for their recommendations, which it would seek to take into account.

II. Conclusions and/or recommendations

125. **The recommendations formulated during the interactive dialogue/listed below have been examined by Tunisia and enjoy the support of Tunisia:**

125.1 **Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol) (Peru);**[1]

125.2 **Consider ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Georgia);**

[1] The recommendation, as read out, was: "Consider withdrawing the general declaration to the Convention on the Elimination of All Forms of Discrimination against Women and ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol" (Peru).

125.3 **Envisage completing the process of adhesion to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, in order to facilitate individual complaints in case of violations of the rights of children, and to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Burkina Faso);**

125.4 **Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Sierra Leone);**[1]

125.5 **Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Uganda);**

125.6 **Align the legislative amendments to the Constitution with the Convention on the Elimination of All Forms of Discrimination against Women, reforming the laws that are discriminatory to women (Uruguay);**

125.7 **Accelerate the alignment of national legislation with a bearing on human rights to the new Constitution, which was adopted in 2014, including provisions relating to the prevention and criminalization of violence against women and children (Zimbabwe);**

125.8 **Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Madagascar);**

125.9 **Pursue ongoing cooperation with human rights mechanisms (Saudi Arabia);**

125.10 **Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);**

125.11 **Continue with the establishment of legal and independent bodies including the Constitutional Council (Sudan);**

125.12 **Without further delay, take steps to adopt the laws called for in its Constitution to safeguard the unique status of independent agencies in Tunisia (Sweden);**

125.13 **Ensure the compliance of its legislation, especially the Code of Personal Status and the Criminal Code, with articles 21 and 46 of its Constitution and international human rights obligations (Switzerland);**

125.14 **Accelerate the ongoing process to harmonize existing legislation with the Constitution (Angola);**

125.15 **Take all the necessary steps to resolve the divergences in the interpretation of the legal text on the Supreme Judicial Council and ensure that such interpretation is in accordance with the provisions of the Constitution (Botswana);**

125.16 **Continue the harmonization of legal frameworks in line with Constitutional texts (Iraq);**

125.17 **Fully implement the ideals of the new Constitution, including the initiation of Constitutional Court proceedings (Japan);**

125.18 **Create and ensure the functioning of Constitutional bodies, such as institutions on human rights and good governance, as well as the Constitutional Court (Portugal);**

[1] The recommendation, as read out, was: "Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the Optional Protocol to the Convention on the Rights of the Child on a communications procedure" (Sierra Leone).

125.19 **Continue efforts to bring national legislation relevant to human rights in line with the Tunisian Constitution and its international human rights obligations (Qatar);**

125.20 **Continue the establishment of constitutional bodies by completing the legislative process and enacting adequate legislation in this regard (Romania);**

125.21 **Quickly establish the Constitutional Court and expedite the revision of laws that are incompatible with the Constitution and international human rights standards (Guatemala);**

125.22 **Continue the process of harmonizing national legislation, including the Criminal Code and Code of Criminal Procedure, with the Constitution and international human rights instruments ratified by Tunisia (Italy);**

125.23 **Continue to bring its legislation into compliance with the Constitution as well as with ratified international instruments (Madagascar);**

125.24 **Continue to take effective measures to align its legal system with its new Constitution and with the relevant international human rights instruments (Namibia);**

125.25 **Revise comprehensively its national legislation in order to bring it in line with its Constitution and with the Convention on the Elimination of All Forms of Discrimination against Women (Honduras);**

125.26 **Harmonize legislation that discriminated against women with the Constitution and the Convention on the Elimination of All Forms of Discrimination against Women (Kyrgyzstan);**

125.27 **Continue to finalize the establishment of the Constitutional Court and expedite the overhaul of the laws that are inconsistent with the Constitution and international human rights standards so as to expand on the environment that is conducive for the further implementation of recommendations made in the context of the universal periodic review (Kenya);**

125.28 **Continue to work towards modernizing legislation in line with the new Tunisian Constitution and complete the implementation of recommendations from the first session of the universal periodic review (Kuwait);**

125.29 **Accelerate the creation of the Constitutional Court and the Constitutional bodies, ensuring that they and other institutions, including the National Authority for the Prevention of Torture, are independent, adequately resourced and swiftly operational (United Kingdom of Great Britain and Northern Ireland);**

125.30 **Reform the National Council for Social Dialogue (Cuba);**

125.31 **Ensure the effective and independent functioning of the national preventive mechanism under the Optional Protocol to the Convention against Torture (Czechia);**

125.32 **Continue efforts to strengthen its democratic institutions and values and develop comprehensive national human rights policies to embrace all economic and social domains, such as education, health, the environment and poverty eradication programmes and support their implementation (Pakistan);**

125.33 **Adopt human rights capacity-building and training programmes for law enforcement officials (Chile);**

125.34 **Take into account the concerns of Tunisian civil society in the context of the future law on national reconciliation (Luxembourg);**

125.35 **Ensure coherence with the mandates of the national preventive mechanism in the establishment process of the new national human rights institution (Ghana);**

125.36 **Finalize the establishment of a new national human rights institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (Kenya);**

125.37 **Step up efforts towards the completion of the institutional framework for the promotion and protection of human rights, including the formulation of a national human rights action plan (Philippines);**

125.38 **Continue work on raising awareness and enhancing training and capacity-building in the field of human rights for government institutions, particularly internal security services and military forces, in accordance with international standards (Qatar);**

125.39 **Continue to strengthen human rights training for police and local government officials, especially on interrogation and investigation methods. Developments in the legal framework take much training and effort to translate into actual practice (Republic of Korea);**

125.40 **Criminalize racism, in line with international commitments (Kyrgyzstan);**

125.41 **Criminalize racism, in line with international commitments (Ukraine);**

125.42 **Accelerate the process of adopting a relevant legislative and regulatory framework for combating racial discrimination (Congo);**

125.43 **Adopt a legislative framework ensuring protection against all forms of offences motivated by prejudice (Côte d'Ivoire);**

125.44 **Continue efforts to promote gender equality (Jordan);**

125.45 **Continue with its efforts to improve the conditions of persons with disabilities, in particular through support for reasonable accommodation in the workplace as well as access to education countrywide (Mexico);**

125.46 **Criminalize racial discrimination and enforce laws which protect the rights of the black population (Sierra Leone);**

125.47 **Adopt a law prohibiting racial discrimination, including criminalizing such behaviour (South Africa);**

125.48 **Immediately cease the practice of forced anal examinations of lesbian, gay, bisexual, transgender and intersex persons, which are contrary to its obligations under the Convention against Torture (Ireland);**

125.49 **Continue its efforts in the less developed regions by encouraging development and investment (Libya);**

125.50 **Continue efforts to pursue the legislative efforts of the sustainable development commission for future generations (Saudi Arabia);**

125.51 **Enhance efforts to fight terrorism and continue raising awareness to fight against extremism (Syrian Arab Republic);**

125.52 **Ensure security measures under the state of emergency or counter-terrorism laws and maintain the human rights of suspects, detainees and their families (United States of America);**

125.53 **Create a law or guidelines to end the use of excessive force against individuals suspected of involvement in terrorist activities, improve pretrial detention conditions, install video cameras in places of detention and ensure access to legal services without delay (Canada);**

125.54 **Continue efforts to combat terrorism (Iraq);**

125.55 **Ensure the existence of scientific, intellectual, legal, social and economic programmes to raise awareness about the risk of terrorism at all levels (Iraq);**

125.56 **Continue efforts to implement the national strategy for combating terrorism and violent extremism (Libya);**

125.57 **Continue its efforts to implement its strategy to combat terrorism and violent extremism in conjunction with all relevant authorities (Oman);**

125.58 **Ensure respect for human rights while combating terrorism by ensuring the right to a fair trial and due process and freedom of expression (Peru);**

125.59 **Pass comprehensive and specific legislation on violence against women that contains both criminal and civil provisions (Zambia);**

125.60 **Establish within the new law civil remedies, including comprehensive protection orders that are part of the Code of Civil Procedure, instead of being integrated into the Criminal Code (Zambia);**

125.61 **Pursue its reform of the security sector (Luxembourg);**

125.62 **Continue with security sector reform to ensure appropriate training and oversight mechanisms are in place (Australia);**

125.63 **Ensure all allegations of excessive use of force or other security force abuses are investigated in a prompt, effective and independent manner (United States of America);**

125.64 **Continue dialogue at the national level, with a view to reaching consensus to abolish the death penalty in the Constitution (Costa Rica);**

125.65 **Promote a national debate on the abolition of the death penalty (Italy);**

125.66 **Maintain its de facto moratorium on the use of the death penalty with a view to its total abolition (Rwanda);**

125.67 **Facilitate a public debate on the death penalty, with input from the Human Rights Commission, other relevant constitutional bodies and civil society, with a view to ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (Ireland);**

125.68 **Step up its efforts to prevent torture and ill-treatment by ensuring that allegations of torture and ill-treatment are systematically investigated and the perpetrators are prosecuted and punished and that victims are compensated in an adequate and equitable manner (Switzerland);**

125.69 **Take the necessary measures to fight torture more effectively (Togo);**

125.70 **Take measures aimed at eliminating torture and other forms of ill-treatment (Ukraine);**

125.71 **Bring the definition of torture in Tunisian law in line with the Convention against Torture and focus on best practice and human rights training for police and security personnel (Austria);**

125.72 **Adopt measures to secure the independent and effective investigation of allegations of torture by the police, in compliance with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol) (Czechia);**

125.73 **Take all necessary measures to render effective the prosecution and sentencing of perpetrators of torture and ill-treatment (France);**

125.74 **Strengthen the independence of the national mechanism for the prevention of torture and other forms of ill-treatment, including through the provision of a separate and adequate budget (Germany);**

125.75 **Bring the definition of torture in line with the requirements of the Convention against Torture (Ghana);**

125.76 **Adopt the decrees on the national preventive mechanism and ensure its financial and administrative independence (Ghana);**

125.77 **Allocate sufficient resources to ensure the effective implementation of the torture prevention mechanism (Madagascar);**

125.78 **Ensure accountability for all acts of torture that occur within the framework of the fight against terrorism (Netherlands);**

125.79 **Further its efforts to ban torture and other ill-treatment in conformity with international human rights standards, while combating terrorism (Norway);**

125.80 **Continue efforts to implement the comprehensive national strategy against human trafficking adopted under Act No. 621 of 2016 (United Arab Emirates);**

125.81 **Expand efforts to combat human trafficking and ensure protection for victims (Jordan);**

125.82 **Continue to strengthen measures to combat human trafficking and child labour (Sri Lanka);**

125.83 **Continue a dialogue with all States on the basis of mutual respect, equal sovereignty and the right of people to choose their political, economic and social system (Syrian Arab Republic);**

125.84 **Continue its efforts in order to promote human rights and public liberties (Yemen);**

125.85 **Strengthen its democratic election processes through the effective implementation of recommendations from the final report of the European Union Election Observation Mission to Tunisia in 2014 (Czechia);**

125.86 **Strengthen the implementation of legislation in the areas of freedom of expression, access to information and non-discrimination and ensure that all relevant laws are fully in line with the Constitution (Czechia);**

125.87 **Replace decrees No. 115 and No. 116 from 2011 on press and audiovisual communication with legislation that is in line with article 65 of the Constitution relating to information, the press and publishing, and article 127 of the Constitution (Denmark);**

125.88 **Strengthen legislation on freedom of expression and conscience (Lebanon);**

125.89 **Continue enhancing freedom of information and the rights of journalists (Lebanon);**

125.90 **Align the legal framework applicable to freedom of the press and publication and to audiovisual communication with applicable international standards (Romania);**

125.91 **Adopt measures to ensure the protection of free speech and freedom of the press, ensuring that human rights defenders can carry out their legitimate activities (Spain);**

125.92 **Accelerate the implementation of the laws on the freedom of expression, assembly and association and to ensure alignment with international standards, including under possible emergency measures (Finland);**

125.93 **Ensure a conducive environment for human rights defenders to carry out their legitimate activities without fear or undue hindrance (South Africa);**

125.94 **Carry out prompt investigations into all threats and attacks targeting human rights defenders and guarantee that those responsible are brought to**

justice and punished in a manner commensurate with the gravity of their acts (Liechtenstein);

125.95 **Bring all legislation concerning communication surveillance in line with international human rights standards, and especially ensure that all communications surveillance requires a test of necessity and proportionality (Liechtenstein);**

125.96 **Take the necessary measures to expedite the work of the High Judicial Council (Syrian Arab Republic);**

125.97 **Continue its efforts to further advance its justice system (Azerbaijan);**

125.98 **Continue the task of completing the special institutional framework in the areas of judiciary and independent bodies (Jordan);**

125.99 **Deepen the process of ensuring effective reparation for the wounded and the families of those killed during the revolution by providing adequate medical support and rehabilitation (Argentina);**

125.100 **Reinforce the implementation of alternative sentencing measures to reduce overcrowding in prisons for short- and medium-term detention (Angola);**

125.101 **Enhance the rights of prisoners by adopting measures that include reducing overcrowding in prison facilities, adopting alternative measures to pretrial detention and ensure fair treatment during judicial proceedings at all stages, in line with international treaties (Kenya);**

125.102 **Continue efforts to implement the plan of action for judicial reform and prison systems (Morocco);**

125.103 **Make further efforts to protect civil rights in judicial procedures, including by ensuring immediate access to an attorney upon arrest (Republic of Korea);**

125.104 **Continue its efforts to fight against unemployment and prioritize adequate housing and access to water (Sudan);**

125.105 **Promote social dialogue and ensure that the conclusions of the dialogue are implemented (Sudan);**

125.106 **Strengthen its efforts to reduce extreme poverty, exclusion and marginalization (Zimbabwe);**

125.107 **Enforce the economic independence of women and vulnerable groups by adopting appropriate plans to combat poverty (Algeria);**

125.108 **Give priority to the elimination of poverty and strive to reduce unemployment and to improve people's living standards (China);**

125.109 **Diversify interventions in order to decrease the incidence of poverty (Cuba);**

125.110 **Continue efforts to safeguard cultural, social and economic rights, including in the least developed regions (Egypt);**

125.111 **Further intensify the Government's activities to boost youth employment (Ethiopia);**

125.112 **Redouble its efforts in guaranteeing the right to work and the equality of all workers in the public sector, without discrimination (Indonesia);**

125.113 **Guarantee the right to work and equality of all public sector workers and ensure that their human dignity is respected without gender-based discrimination (Central African Republic);**

125.114 **Stress and promote access to health services, including by training medical staff (Syrian Arab Republic);**

125.115 **Continue strengthening the health-care infrastructure (Bolivarian Republic of Venezuela);**

125.116 **Continue to enhance the effectiveness of measures taken to improve access to health services in remote and rural areas (Libya);**

125.117 **Continue implementing the national strategy to enhance access to health services in rural areas (State of Palestine);**

125.118 **Accelerate the adoption of the draft law on narcotics, which exempts from criminal prosecution any consumer requiring medical follow-up (Gabon);**

125.119 **Ensure broad access to health services, including reproductive health services, especially to young people (Luxembourg);**

125.120 **Expand family planning services in order to reduce significantly maternal mortality, which remains high especially in rural areas (Burkina Faso);**

125.121 **Continue efforts to ensure universal access for Tunisian women to sexual and reproductive health-care services, especially during pregnancy (Slovenia);**

125.122 **Continue progress in the implementation of the mandatory and free-of-cost year of primary school (Bolivarian Republic of Venezuela);**

125.123 **Continue investments to improve public education and public services and facilities (Philippines);**

125.124 **Continue efforts to strengthen the education system, in particular access to education in rural areas (South Sudan);**

125.125 **Consider including human rights education in its school programmes (Mauritius);**

125.126 **Develop a national plan to encourage girls to remain in school, especially in disadvantaged regions of the country (Maldives);**

125.127 **Actively develop education, especially basic education, and provide greater support to schools in rural areas (China);**

125.128 **Continue to give more attention to boys, girls and women in public policies, especially in the area of education (Senegal);**

125.129 **Continue to promote women's rights, especially in rural areas (Djibouti);**

125.130 **Focus on human rights in general and the rights of women in particular (Oman);**

125.131 **Further intensify its efforts in the implementation of laws and policies aimed at promoting and protecting the rights of women, children and other vulnerable groups (Pakistan);**

125.132 **Adopt legislative and policy measures to combat discrimination on the basis of gender and against children and persons with disabilities (Chile);**[5]

125.133 **Provide material and moral support for the Centre for Research, Studies, Documentation and Information on Women in order to preserve and promote the rights of women in Tunisia (United Arab Emirates);**

125.134 **Continue consolidating the National Prevention Strategy to sanction all forms of exploitation, especially against women, to protect victims and provide them with assistance (Bolivarian Republic of Venezuela);**

[5] The recommendation, as read out, was: "Adopt legislative and policy measures to combat discrimination on the basis of gender and against children and persons with disabilities, and discrimination based on sexual orientation and gender identity" (Chile).

125.135 **Reinforce its national policy for gender equity and equality (Côte d'Ivoire);**

125.136 **Align national legislation with international instruments on the protection of the rights of women and in favour of the principle of gender equality, in particular by promoting access for women to jobs, increasing their participation in political and economic life and ensuring wage equality between men and women (Mexico);**

125.137 **Put in place programmes to fight against poverty and job insecurity, through strengthening the economic empowerment of women (Central African Republic);**

125.138 **Eliminate all legislative provisions that perpetuate discrimination against women and adopt a comprehensive law on violence against women (Spain);**

125.139 **Promote legislation that is in keeping with the Convention on the Elimination of All Forms of Discrimination against Women, including on preventing violence against women (Japan);**

125.140 **Work toward eliminating any loopholes in national legislation that might undermine the protection of women's rights and the principle of gender equality, including on domestic violence and marital rape (Rwanda);**

125.141 **Take further steps in order to encourage women's access to work and eliminate the gender pay gap (Poland);**

125.142 **Adopt a comprehensive law on violence against women and girls that addresses the importance of consent and provides adequate protection for victims and appropriate penalties for perpetrators (Sweden);**

125.143 **Amend or repeal articles 227 and 239 of the Criminal Code to explicitly criminalize marital rape and redefine rape in line with international standards (Sweden);**

125.144 **Continue its efforts to fight discrimination and violence against women (Turkey);**

125.145 **Put in place specific legislation to address violence against women, which to date remains generally covered under the Criminal Code (Uganda);**

125.146 **Expedite the adoption of the law to combat violence against women (Ukraine);**

125.147 **Amend the Criminal Code to abolish provisions allowing a perpetrator of sexual violence to escape prosecution by marrying the victim or allowing the prosecution, trial or execution of the sentence to be dropped when the victim retracts the complaint and explicitly criminalize marital rape (Zambia);**

125.148 **Strengthen existing legislation to effectively eliminate gender-based violence, including domestic violence, with a view to better protecting victims and holding perpetrators accountable (Austria);**

125.149 **Continue to address violence against women including measures to ensure that domestic violence and rapes are duly reported (Bangladesh);**

125.150 **Accelerate the adoption of a general law on violence against women and girls criminalizing all forms of violence, including domestic violence and marital rape and guarantee access to justice (Belgium);**

125.151 **Repeal articles 227 bis and 239 of the Criminal Code to prevent perpetrators of rape and abduction from avoiding prosecution by marrying their adolescent victims (Belgium);**

125.152 **Adopt specific legislation aiming at the elimination of violence against women, in line with international standards, which adequately addresses the dimensions of prevention, protection and assistance (Brazil);**

125.153 **Repeal article 227 of the Tunisian Criminal Code, which allows rape offenders to escape justice if they marry their victims (Canada);**

125.154 **Adopt a legal framework to fight violence against women, which establishes sanctions for these acts, ensures access to justice for victims and establishes a system for their protection, compensation and rehabilitation (Chile);**

125.155 **Take the necessary measures to combat violence against women and discrimination in employment (France);**

125.156 **Intensify efforts to bring domestic legislation in line with international standards to combat all forms of violence and discrimination against women and girls (Georgia);**

125.157 **Amend the Criminal Code to explicitly criminalize marital rape, to abolish provisions allowing a perpetrator of sexual violence to escape prosecution by marrying the victim (Criminal Code, article 227 bis) (Germany);**

125.158 **Adopt a comprehensive law on combating all forms of violence against women, including domestic violence and marital rape (Honduras);**

125.159 **Expedite the adoption of the law to combat violence against women (Kyrgyzstan);**

125.160 **Expedite the adoption of the law to combat violence against women and ensure that it makes all forms of violence against women a criminal offence, including domestic violence and marital rape, and amend the provisions of the Criminal Code in order to eliminate any possibility of impunity for the perpetrators of violence against women (Liechtenstein);**

125.161 **Train members of the judiciary and law enforcement officials to make them aware of all types of violence against women, and streagthen public awareness campaigns (Liechtenstein);**

125.162 **Pursue the process of adoption of the basic law concerning the elimination of violence against women (Morocco);**

125.163 **Adopt laws that criminalize all forms of violence against women and girls and review criminal procedures to end impunity for such violations (Portugal);**

125.164 **Ensure the swift implementation and enforcement of legislation criminalizing all forms of violence against women, including domestic violence (Sierra Leone);**

125.165 **Adopt a comprehensive national policy on the protection of women against all forms of violence and the creation of a supportive environment for women victims of violence by reviewing and strengthening the legal framework (South Africa);**

125.166 **Adopt the comprehensive law on violence against women and girls (Central African Republic);**

125.167 **Introduce positive discrimination measures to promote women's access to work (Ukraine);**

125.168 **Strengthen the participation of women in decision-making circles and leadership positions and enable them to play a role in all fields of development (Bahrain);**

125.169 **Continue reinforcing and promoting women's rights and women's participation in cultural, social and economic life (Egypt);**

125.170 **Increase the participation of women in decision-making positions and in the political and public spheres (Indonesia);**

125.171 **Continue efforts to improve the status of women and promote gender equality at all levels, thereby enhancing women's contribution to the development process (Sri Lanka);**

125.172 **Continue to implement strategies and plans and to increase women's participation in decision-making positions in the public sector (State of Palestine);**

125.173 **Continue its efforts with regard to child protection and implement an independent mechanism to monitor children's rights so as to prevent violations of existing regulations and legislation (Maldives);**

125.174 **Continue to reform laws to ensure that no one, especially children, will be left stateless (Kenya);**

125.175 **Pursue measures adopted to establish a plan of action to combat child labour, in cooperation with the International Labour Organization (ILO) (Djibouti);**

125.176 **Enhance its efforts to promote the human rights of persons with disabilities in all fields (Algeria);**

125.177 **Continue reinforcing the enjoyment by people with disabilities of all their political, social and economic rights (Bahrain);**

125.178 **Step up protection for persons with disabilities with a rights-based approach in order to ensure their full integration into society (Spain);**

125.179 **Protect the economic, social and cultural rights of Amazigh minorities (Peru);**

125.180 **Strengthen national legislation with regard to the rights of domestic workers (Uruguay);**[4]

125.181 **Expedite the Government's responsibility in combating terrorism and violent extremism (Ethiopia);**

125.182 **Give greater consideration to the protection of human rights during judicial processes related to terrorism (Japan).**

126. **The following recommendations will be examined by Tunisia, which will provide responses in due time, but no later than the thirty-sixth session of the Human Rights Council:**

126.1 **Analyse the ratification of the ILO Domestic Workers Convention, 2011 (No. 189) (Uruguay);**[4]

126.2 **Expedite the adoption of the asylum bill which is pending before the National Assembly (Uganda);**

126.3 **Repeal the provisions of the Personal Status Code which prohibit the children of women who have remarried from living with them (Canada);**

126.4 **Strengthen mechanisms for detaining, identifying and providing assistance to vulnerable migrants at borders, in full compliance with international law (Guatemala);**

126.5 **Decriminalize the irregular crossing of borders and strengthen mechanisms for detecting, identifying and assisting vulnerable migrants on the borders, including minors, possible asylum seekers and victims of human trafficking (Mexico);**

[4] During the interactive dialogue, the recommendation was read as follows: Analyse the ratification of the ILO Domestic Workers Convention, 2011 (No. 189) and strengthen national legislation with regard to the rights of domestic workers (Uruguay).

126.6 **Take measures in order to strengthen the mechanism to detect, identify and assist vulnerable migrants at the border, including minors, potential asylum seekers and victims of trafficking (Nigeria);**

126.7 **Adopt measures to promote and protect the rights of migrants and ensure that unaccompanied minors and families with children are not detained (Nigeria);**

126.8 **Expeditiously ratify the Kampala amendments to the Rome Statute of the International Criminal Court on the crime of aggression (Liechtenstein);**

126.9 **Ensure the protection of lesbian, gay, bisexual, transgender, queer and intersex persons from all forms of stigmatization, discrimination and violence and abstain from random testing (Luxembourg);**

126.10 **Develop public awareness programmes to address stigmatization of lesbian, gay, bisexual, transgender and intersex persons (Ireland);**

126.11 **Establish an interreligious council to facilitate interreligious dialogue and harmony (Sierra Leone).**

127. **The recommendations formulated during the interactive dialogue listed below have been examined by Tunisia and have been noted by Tunisia:**

127.1 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Sierra Leone);**[1]

127.2 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Turkey);**

127.3 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Honduras);**

127.4 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Kyrgyzstan);**

127.5 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Niger);**

127.6 **Ratify promptly the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Guatemala);**

127.7 **Adhere to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Congo);**

127.8 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Bangladesh);**

127.9 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Senegal);**

127.10 **Consider ratifying the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families (Indonesia);**

127.11 **Continue the process of ratifying the international conventions to which the State is not yet a party, in particular the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Gabon);**

127.12 **Ratify the International Convention on the Rights of All Migrant Workers and Members of Their Families and the ILO Domestic Workers Convention, 2011 (No. 189) (Philippines);**

[1] The recommendation, as read out, was: "Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the Optional Protocol to the Convention on the Rights of the Child on a communications procedure" (Sierra Leone).

127.13 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Montenegro);**

127.14 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);**

127.15 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Togo);**

127.16 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);**

127.17 **Re-consider ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Slovenia);**

127.18 **Consider withdrawing the general declaration to the Convention on the Elimination of All Forms of Discrimination against Women (Peru);**[*]

127.19 **Continue to develop a national strategy, through the national authority to combat human trafficking, and, as part of that strategy, to ratify the Protocol of 2014 to the Forced Labour Convention, 1930 (United Kingdom of Great Britain and Northern Ireland);**

127.20 **Adopt appropriate measures to abolish the death penalty (Togo);**

127.21 **Consider abolishing the death penalty (Mozambique);**

127.22 **Continue to take practical steps to expedite the abolition of the death penalty (Namibia);**

127.23 **Formally abolish the death penalty, with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);**

127.24 **Abolish the death penalty and consider withdrawing reservations submitted by Tunisia to the Second Optional Protocol to the International Covenant on Civil and Political Rights as announced by the Government (Austria);**

127.25 **Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Spain);**

127.26 **Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (France);**

127.27 **Abolish capital punishment and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Portugal);**

127.28 **Abolish the death penalty in conformity with the Second Optional Protocol to the International Covenant on Civil and Political Rights (Ireland);**

127.29 **Abolish the death penalty in its Constitution. Despite a de facto moratorium, people continue to be sentenced to death (Luxembourg);**

127.30 **Review its anti-terrorism law and Criminal Code to definitively abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Norway);**

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[*] The recommendation, as read out, was: "Consider withdrawing the general declaration to the Convention on the Elimination of All Forms of Discrimination against Women and ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol)" (Peru).

127.31 **Decriminalize same-sex relations between consenting adults by repealing article 230 of the Criminal Code (Denmark);**

127.32 **Amend or repeal article 230 of the Criminal Code to end criminalization of same-sex sexual relations (Sweden);**

127.33 **Amend article 230 of the Criminal Code to end criminalization of same-sex sexual relations (United States of America);**

127.34 **Repeal article 230 of the Criminal Code criminalizing same-sex sexual relation (Belgium);**

127.35 **Abolish article 230 of the Criminal Code that criminalizes homosexuality (Netherlands);**

127.36 **Repeal article 230 of the Tunisian Criminal Code and eliminate discriminatory practices based on sexual orientation and gender identity, such as anal inspections (Canada);**

127.37 **Modify or repeal article 230 of the Criminal Code in order to decriminalize same-sex relations between consenting adults (Germany);**

127.38 **Repeal articles 230 and 230 of the Criminal Code to put an end to the criminalization of adultery and same-sex relationships, as well as to methods of collecting evidence that constitute a violation of the dignity and physical integrity of persons (France);**

127.39 **Derogate article 230 of the Criminal Code (Costa Rica);**

127.40 **Repeal article 230 of the Criminal Code (Ireland);**

127.41 **Repeal article 230 of the Criminal Code, which criminalizes same-sex relations between consenting adults and discontinue the practice of forced anal exams to prove homosexual behaviour (Norway);**

127.42 **Implement additional measures aimed at eliminating discrimination and violence based on sexual orientation (Brazil);**

127.43 **Eliminate all legislation that penalizes and criminalizes same sex relationships as well as all discriminatory legislation as a result of sexual orientation (Spain);**

127.44 **Repeal legislation criminalizing consensual sexual conduct between same-sex adults (Ireland);**

127.45 **Take steps to prevent the harassment or discrimination of lesbian, gay, bisexual, transgender and intersex persons and prosecute perpetrators (Ireland);**

127.46 **Take all necessary measures to prevent, investigate and prosecute violence against lesbian, gay, bisexual, transgender and intersex persons (Ireland);**

127.47 **Take immediate measures to derogate from norms that criminalize and stigmatize lesbian, gay, bisexual, transgender and intersex persons and investigate and sanction the perpetrators of acts of discrimination and violence against them (Argentina);**

127.48 **Introduce legislation to protect against discrimination based on sexual orientation, gender identity and intersex status (Australia);**

127.49 **Adopt legislative and policy measures to combat discrimination based on sexual orientation and gender identity (Chile).**

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[*] The recommendation, as read out, was: "Adopt legislative and policy measures to combat discrimination on the basis of gender and against children and persons with disabilities and discrimination based on sexual orientation and gender identity" (Chile).

127.50 **Address all sexual and gender based-violence and discrimination, especially against women, by reforming the Criminal Code and Personals Status Code to bring it into line with the Convention on the Elimination of All Forms of Discrimination against Women, including by criminalizing marital rape and abolishing provisions allowing a perpetrator of sexual violence to escape prosecution by marrying their victim (Finland);**

127.51 **Eliminate all forms of discrimination against women, including by amending the Personal Status Code to grant equal inheritance rights to women and by repealing the circular from 1973 to allow women to marry non-Muslim spouses (Germany);**

127.52 **Fully eliminate discrimination between women and men with regard to inheritance rights (Poland);**

127.53 **Improve gender equality both in legislation and practice, including by granting men and women equal property and family rights (Republic of Korea);**

127.54 **Ensure that the legislatica governing the military court system is explicit in ensuring that military courts only have jurisdiction over military personnel who have committed military offences, especially when such offences do not amount to human rights violations, and that no civilian cases are tried in the military court system (Botswana);**

127.55 **Adhere and adapt its national legislation to the Arms Trade Treaty (Guatemala).**

128. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[Original: English/French]

Composition of the delegation

The delegation of Tunisia was headed by S.E. M. Mehdi Ben Gharbia, Ministre chargé de la relation avec les Instances Constitutionnelles et la Société Civile et des Droits de l'Homme, and composed of the following members:

- S.E. M. Walid Doudech, Ambassadeur Représentant Permanent de Tunisie auprès de l'Office des Nations Unies a Genève et des Organisations Internationales en Suisse;
- M. Hatem Landoulsi, Directeur des Droits de l'Homme au Ministère des Affaires Étrangères;
- Mme. Intissar Ben Attitallah, Ministre plénipotentiaire, auprès Mission Permanente de la Tunisie a Genève;
- Mme. Sana Bouzaouache, représentante du Ministère charge de la Relation avec les Instances Constitutionnelles, le Société civile et des Droits de l'Homme, et rapporteuse de la Commission nationale de Coordination, Élaboration et Présentation des rapports dans le domaine des droits de l'homme;
- Mme. Faten Sebei, Magistrat, Chef de Groupe au Centre d'etudes juridiques et judiciaires, Ministère de la Justice;
- M. Houssem eddine El Triki, représentant du Ministère de la Justice;
- M. Adel Boudabouss, représentant du Ministère de la Défense Nationale;
- M. Meher Guadour, représentant du Ministère de l'Intérieur;
- M. Hamdi Khalfa, représentant du Ministère des Affaires Sociales.